

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA

v.

GREGG SMITH,
MICHAEL NOWAK,
JEFFREY RUFFO, and
CHRISTOPHER JORDAN,

Defendants.

Case No. 19-cr-00669

Hon. Edmond E. Chang

**DEFENDANTS' JOINT UNOPPOSED MOTION FOR LEAVE TO FILE
PORTIONS OF MOTION TO EXCLUDE EXPERT TESTIMONY OF SPECIAL
AGENT JONATHAN LUCA UNDER SEAL**

Michael Nowak, through undersigned counsel, jointly with Jeffrey Ruffo, Gregg Smith, and Christopher Jordan (collectively, "Defendants"), through each of their counsel, respectfully moves this Court for leave to file under seal portions of their Joint Motion to Exclude Expert Testimony of Special Agent Jonathan Luca ("Joint Motion"). In support of this motion, we state as follows:

1. A limited portion of the Joint Motion contains quoted or paraphrased excerpts from interview reports on FBI Form FD-302 ("302 reports") for two prospective witnesses. These references should be filed under seal because: (a) they may never be received in evidence; and (b) they would not ordinarily be made available to testifying witnesses and could potentially influence a witness's trial testimony.

2. In accordance with Local Rule 26.2(c), Defendants will provisionally file under seal unredacted versions of the Joint Motion, and at the same time will file public-record versions of the Joint Motion with the appropriate redactions.

3. Counsel for the government has informed defense counsel that the government does not oppose this request.

WHEREFORE, Defendants respectfully request that the Court grant this unopposed motion.

Dated: August 5, 2021

Respectfully submitted,

/s/ David Meister

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filing on behalf of Defendants Smith, Nowak,
Jordan, and Ruffo*